United Nations A/C.5/62/L.13

General Assembly

Distr.: Limited
19 December 2007

Original: English

Sixty-second session
Fifth Committee
Agenda item 137
Administration of justice at the United Nations

Draft resolution submitted by the Vice-Chairman following informal consultations

Administration of justice at the United Nations

The General Assembly,

Recalling its resolutions 57/307 of 15 April 2003, 59/266 of 23 December 2004, 59/283 of 13 April 2005 and 61/261 of 4 April 2007,

Emphasizing the importance for the United Nations to have an efficient and effective system of administration of justice so as to ensure that individuals and the Organization are held accountable for their actions in accordance with relevant resolutions and regulations,

Reaffirming its decision in paragraph 4 of resolution 61/261 to establish a new, independent, transparent, professionalized, adequately resourced and decentralized system of administration of justice consistent with the relevant rules of international law and the principles of the rule of law and due process to ensure respect for the rights and obligations of staff members and the accountability of managers and staff members alike,

Having considered the reports of the Secretary-General on revised estimates relating to the programme budget for the biennium 2006-2007 and the proposed programme budget for the biennium 2008-2009 pursuant to General Assembly resolution 61/261,[1] on the administration of justice,[2] on the outcome of the work of the Joint Appeals Board during 2005 and 2006 and statistics on the disposition of cases and work of the Panel of Counsel[3] and on the activities of the Ombudsman,[4] the related reports of the Advisory Committee on Administrative and Budgetary

[1] A/61/891.
[2] A/62/294.
[3] A/62/179.
[4] A/62/311.

07-65361 (E) 191207

Questions[5,6] and the letter dated 20 November 2007 from the President of the General Assembly to the Chairman of the Fifth Committee,[7]

1. *Takes note* of the reports of the Secretary-General on revised estimates relating to the programme budget for the biennium 2006-2007 and the proposed programme budget for the biennium 2008-2009 pursuant to General Assembly resolution 61/261,[1] on the administration of justice,[2] on the outcome of the work of the Joint Appeals Board during 2005 and 2006 and statistics on the disposition of cases and work of the Panel of Counsel[3] and on the activities of the Ombudsman[4] and the related reports of the Advisory Committee on Administrative and Budgetary Questions;[5,6]

2. *Recalls* its decision 62/__ of __ December 2007;[8]

3. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions,[6] subject to the provisions of the present resolution;

I. New system of administration of justice

4. *Stresses* the importance of allocating adequate resources to establish the new system of administration of justice;

5. *Acknowledges* the evolving nature of the new system of administration of justice and the need to carefully monitor its implementation;

6. *Stresses* the importance of ensuring access for all staff members to the system of administration of justice, regardless of their duty station;

A. Scope

7. *Decides* that individuals who have access to the current system of administration of justice will have access to the new system;

8. *Also decides* to revert to the issue of the scope of the system of administration of justice at the second part of its resumed sixty-second session and to request information in this regard from the Secretary-General;

9. *Requests* the Secretary-General ensure that the daily paid workers in peacekeeping missions are made aware of their rights and obligations and have access to suitable recourse procedures within the framework of the United Nations;

B. Office of Administration of Justice

10. *Decides* to establish the Office of Administration of Justice, comprising the Office of the Executive Director and the Office of Staff Legal Assistance, as well as the Registries for the United Nations Dispute Tribunal and the United Nations Appeals Tribunal;

11. *Also decides* that the Office of the Executive Director is to consist of one Executive Director (D-2), one Special Assistant (P-4) and one Administrative

---

[5] A/61/936.
[6] A/62/7/Add.7.
[7] A/C.5/62/11.
[8] See A/C.6/62/L.22.

Assistant (General Service (Other level)), and requests the Secretary-General to ensure that these positions are filled as a matter of priority but no later than 1 July 2008;

C. Office of Staff Legal Assistance

12. *Stresses* that professional legal assistance is critical for the effective and appropriate utilization of the available mechanisms within the system of administration of justice;

13. *Recalls* paragraph 23 of its resolution 61/261, reiterates its support for the strengthening of professional legal assistance for staff in order for staff to continue to receive legal assistance, and decides to establish the Office of Staff Legal Assistance to succeed the Panel of Counsel,

14. *Decides* that the Office of Staff Legal Assistance is to consist of one Chief of Unit (P-5), one Legal Officer (P-3), one Legal Officer (P-2) and three Legal Assistants (General Service (Other level)) in New York, and one Legal Officer (P-3) each in Addis Ababa, Beirut, Geneva and Nairobi;

15. *Also decides* that legal assistance should continue to be accessible to staff at all duty stations;

16. *Requests* the Secretary-General to establish a code of conduct regulating the activity of internal and external individuals providing legal assistance to staff to ensure their independence and impartiality;

17. *Reiterates* paragraph 24 of its resolution 61/261, and requests the Secretary-General to report on the progress made to establish a staff-funded scheme in the Organization that would provide legal advice and support to staff;

18. *Requests* the Secretary-General to develop incentives for staff and management, including through training opportunities, to enable and encourage staff to continue to participate in the work of the Office of Staff Legal Assistance;

19. *Decides* to revert to the issue of the mandate of the Office of Staff Legal Assistance at its sixty-third session;

20. *Requests* the Secretary-General to report on possible measures to encourage responsible use of the system of administration of justice;

21. *Recognizes* that the Office of Staff Legal Assistance and the Ombudsman have two distinct functions;

II. Informal system

22. *Recognizes* that the informal resolution of conflict is a crucial element of the system of administration of justice, and emphasizes that all possible use should be made of the informal system in order to avoid unnecessary litigation;

23. *Also recognizes* that the strengthening of the informal system may reduce recourse to the formal system, thereby avoiding unnecessary litigation;

24. *Stresses* the pivotal role of mediation in reconciling differences;

A. Office of the Ombudsman

25. *Reiterates* its decision to create a single integrated and decentralized Office of the Ombudsman for the United Nations Secretariat, funds and programmes, decides to establish the Office as from 1 January 2008, and urges the Office of the United Nations Ombudsman, the Office of the Joint Ombudsperson (United Nations Development Programme/United Nations Population Fund/United Nations Children's Fund/United Nations Office for Project Services) and the Office of the Mediator of the Office of United Nations High Commissioner for Refugees to strengthen the ongoing efforts for coordination and harmonization of standards, operating guidelines, reporting categories and databases;

26. *Decides* to establish branch offices for the Office of the Ombudsman in Bangkok, Geneva, Nairobi, Santiago and Vienna, each with one Regional Ombudsman (P-5) and one Administrative Assistant (General Service (Other level/Local level));

27. *Takes note* of paragraph 22 of the report of the Advisory Committee on Administrative and Budgetary Questions;[6]

28. *Requests* the Secretary-General to ensure that staff at all duty stations have access to the Ombudsman;

29. *Endorses* the process of nomination and appointment of the Ombudsman by the Secretary-General, as set out in paragraphs 47 to 49 of his report[2] and recommended by the Redesign Panel in its report;[9]

B. Mediation Division

30. *Endorses* paragraph 21 of the report of the Advisory Committee on Administrative and Budgetary Questions, and decides to establish the Mediation Division as from 1 January 2008;

C. Systemic issues

31. *Notes* section IV, on systemic issues, of the report of the Secretary-General on the activities of the Ombudsman,[4] and emphasizes that the role of the Ombudsman is to report on broad systemic issues that he or she identifies, as well as those that are brought to his or her attention, in order to promote greater harmony in the workplace;

32. *Requests* the Secretary-General to report at its sixty-third session, in the context of human resources management, on specific measures taken to address systemic issues;

III. Formal system

33. *Reaffirms* paragraphs 19 to 24 of its resolution 61/261;

34. *Emphasizes* the importance of ensuring access for all staff to the United Nations Dispute Tribunal, and requests the Secretary-General to make provisions for the travel and related costs of staff whose physical presence before the Tribunals is deemed necessary by the Tribunals and for judges to travel as necessary to hold

[9] A/61/205.

sessions at duty stations other than New York, Geneva and Nairobi, in particular in Bangkok, Santiago and Vienna;

A. Internal Justice Council

35. *Stresses* that the establishment of an internal justice council can help to ensure independence, professionalism and accountability in the system of administration of justice;

36. *Decides* to establish by 1 March 2008 a five-member Internal Justice Council consisting of a staff representative, a management representative and two distinguished external jurists, one nominated by the staff and one by management, and chaired by a distinguished jurist chosen by consensus by the four other members;

37. *Also decides* that the Internal Justice Council will perform the following tasks:

(a) Liaising with the Office of Human Resources Management on issues related to the search for suitable candidates for the positions of judges, including by conducting interviews as necessary;

(b) Providing its views and recommendations to the General Assembly on two or three candidates for each vacancy in the United Nations Dispute Tribunal and the United Nations Appeals Tribunal, with due regard to geographical distribution;

(c) Drafting a code of conduct for the judges, for consideration by the General Assembly;

(d) Providing its views on the implementation of the system of administration of justice to the General Assembly;

38. *Further decides* that the Internal Justice Council will be assisted, as appropriate, by the Office of Administration of Justice;

B. United Nations Dispute Tribunal and United Nations Appeals Tribunal

39. *Decides* to establish a two-tier formal system of administration of justice, comprising a first instance United Nations Dispute Tribunal and an appellate instance United Nations Appeals Tribunal as from 1 January 2009;

40. *Also decides* that judges of the United Nations Dispute Tribunal and United Nations Appeals Tribunal shall be appointed by the General Assembly on the recommendation of the Internal Justice Council;

41. *Further decides* to endorse the qualifications of the judges as set out in paragraphs 58 and 67 of the report of the Secretary-General[2] and as further described in its decision 62/__;[8]

42. *Decides* that the United Nations Dispute Tribunal shall, initially, comprise three full-time judges, to be situated in New York, Geneva and Nairobi, and two half-time judges;

43. *Also decides* that further consideration should be given to cases before the United Nations Dispute Tribunal being decided by a panel of judges, depending on the nature of the cases, the workload of judges and the grounds for appeal, and requests the Secretary-General to present further proposals in this regard, including

resource implications, to the General Assembly at the second part of its resumed sixty-second session;

44. *Further decides* that the United Nations Appeals Tribunal shall comprise seven members who will sit in panels of at least three;

45. *Decides* that judges shall serve only one non-renewable term of seven years on either the United Nations Dispute Tribunal or the United Nations Appeals Tribunal, with the exception of two of the initial judges of the United Nations Dispute Tribunal and three of the initial judges of the United Nations Appeals Tribunal, to be determined by drawing of lots, who shall serve three years and may consequently apply to the same Tribunal for a non-renewable term of seven years;

C. Registries

46. *Decides* to establish a Registry for the United Nations Dispute Tribunal in New York, Geneva and Nairobi and a Registry for the United Nations Appeals Tribunal in New York;

47. *Also decides* that the Registries will consist of one D-1 Registrar who will oversee the Registries and, for the United Nations Dispute Tribunal in New York, one P-5 Registrar, one P-2 Legal Officer and two General Service (Other level) Administrative Assistants; for the United Nations Dispute Tribunal in Geneva, one P-5 Registrar, one P-3 Legal Research Officer and two General Service (Other level) Administrative Assistants; for the United Nations Dispute Tribunal in Nairobi, one P-5 Registrar, one P-3 Legal Research Officer and two General Service (Local level) Administrative Assistants; and for the United Nations Appeals Tribunal in New York, one P-5 Registrar, one P-3 Legal Officer and two General Service (Other level) Administrative Assistants; and further decides to approve, as general temporary assistance in New York, the equivalent of one P-4 Information Technology Officer, one General Service (Other level) Information Technology Assistant and Legal Research Officer positions equivalent to P-4 in both Geneva and Nairobi;

48. *Requests* the Secretary-General to provide terms of reference for the Registries, taking into account the current working methods of the United Nations Appeals Tribunal at its sixty-third session;

D. Disciplinary proceedings

49. *Decides* to endorse, in principle, the delegation of authority for disciplinary measures to heads of offices away from Headquarters and heads of missions/Special Representatives of the Secretary-General, and requests the Secretary-General to present a report containing a detailed proposal regarding possible options for delegation of authority for disciplinary measures, including full delegation, as well as an assessment of possible implications for due process rights of staff members;

E. Management evaluation

50. *Emphasizes* the need to have in place a process for management evaluation that is efficient, effective and impartial;

51. *Reaffirms* the importance of the general principle of exhausting administrative remedies before formal proceedings are instituted;

52. *Decides* to establish an independent Management Evaluation Unit in the Office of the Under-Secretary-General for Management, with one Chief of Unit (P-5), two Legal Officers (P-4) and three Administrative Assistants (General Service (Other level)) and general temporary assistance equivalent to one P-4 Legal Officer position;

53. *Emphasizes* the importance of prompt decisions and responses to formal requests for management evaluation, and decides that such evaluation should be completed in a timely manner, as soon as possible and within a limit of thirty calendar days for New York Headquarters and forty-five calendar days for offices away from Headquarters after the submission of such a request;

54. *Stresses* the importance of establishing adequate accountability measures for managers to ensure their timely response to management evaluation requests;

55. *Emphasizes* the importance for the United Nations to have an efficient and effective system of administration of justice so as to ensure that individuals and the Organization are held accountable for their actions in accordance with relevant resolutions and regulations;

IV. Transitional measures

56. *Recalls* paragraph 31 of its resolution 61/261, and urges the Secretary-General to intensify the efforts needed to clear the existing backlog of cases before the Panel on Discrimination and Other Grievances, Joint Appeals Boards, Joint Disciplinary Committees, Disciplinary Committees, the Administrative Law Unit, the Executive Office of the Secretary-General and the United Nations Administrative Tribunal;

57. *Endorses* paragraphs 73, 74, 76 and 80 of the report of the Advisory Committee on Administrative and Budgetary Questions;[6]

58. *Decides* to revert to the issue of transitional arrangements at the second part of its resumed sixty-second session;

59. *Requests* the Secretary-General to consult with the organizations which currently participate in the United Nations Administrative Tribunal with the aim of providing for an orderly transition to another system of their choosing, if they were not to join the new system of administration of justice;

V. Financial implications and cost-sharing arrangements

60. *Underlines* that the funding for administration of justice, based on cost-sharing arrangements, should be clear, predictable and secure;

61. *Decides* to approve the cost-sharing arrangement as outlined by the Secretary-General in paragraphs 161 and 162 of his report;[2]

62. *Urges* the Secretary-General to conclude cost-sharing arrangements with the relevant funds and programmes by July 2008;

63. *Requests* the Secretary-General to review the arrangements for the provision of services of the United Nations Administrative Tribunal to the United Nations Relief and Works Agency for Palestine Refugees in the Near East, the International Seabed Authority, the International Tribunal for the Law of the Sea, the International Court of Justice, the International Maritime Organization, the International Civil Aviation Organization, and the United Nations Joint Staff Pension Fund;

VI. Further information

64. *Requests* the Secretary-General to report at the second part of its resumed sixty-second session on the following:

(a) Draft statute for the United Nations Dispute Tribunal;

(b) Draft statute for the United Nations Administrative Tribunal that reflects the decisions contained in the present resolution and its resolution 61/261;

(c) Jurisdiction of the United Nations Dispute Tribunal and the United Nations Appeals Tribunal;

(d) Grounds of appeal before the United Nations Appeals Tribunal;

(e) Conditions under which the United Nations Dispute Tribunal may refer cases pending before it to mediation, including the requirement of the consent of the parties and the issue of time frames;

(f) A detailed proposal regarding the allocation of cases to the United Nations Dispute Tribunal, taking into account geographical accessibility, the type of cases and the number of cases;

(g) Compensation awarded by the tribunals and alternatives;

(h) The role of staff associations vis-à-vis the formal system of justice;

65. *Also requests* the Secretary-General to provide further information and recommendations, as appropriate, at the second part of its resumed sixty-second session, on the following:

(a) The different categories of non-staff personnel performing personal services for the Organization, including experts on mission, United Nations officials other than staff members of the Secretariat and daily workers;

(b) The types of dispute settlement mechanisms available to the different categories of non-staff personnel and their effectiveness;

(c) The types of grievances the different categories of non-staff personnel have raised in the past and what bodies of law are relevant to such claims;

(d) Any other mechanism that could be envisaged to provide effective and efficient dispute settlement to the different categories of non-staff personnel, taking into account the nature of their contractual relationship with the Organization;

66. *Further requests* the Secretary-General to report at the main part of its sixty-third session on the following:

(a) The revised terms of reference for the Ombudsman, taking into account the changes in functions, presence and proposed locations;

(b) The results of the negotiations between the United Nations and other participating entities on cost-sharing arrangements for the system of administration of justice;

(c) Mechanisms for the formal removal of judges, definition of the "grounds of misconduct or incapacity" and the means for the establishment of such grounds in a specific case;

(d) Viable options for programme support cost/trust funds to share the cost of the new internal justice system;

VII. Other issues

67. *Invites* the Sixth Committee to consider the legal aspects of the reports to be submitted to by the Secretary-General without prejudice to the role of the Fifth Committee as the Main Committee entrusted with responsibilities for administrative and budgetary matters;

68. *Requests* the Secretary-General to ensure that information concerning the details of the new system of administration of justice, in particular options for recourse, are made readily accessible to all staff covered under the new system;

69. *Requests* the Secretary-General to develop a comprehensive approach to address privacy rights of staff, including the right to confidentiality and the Organization's responsibility for ensuring the due process rights of its staff under investigation;

70. *Also requests* the Secretary-General to report at its sixty-third session on how information and communications technology can improve the functioning of the system of administration of justice.

A/C.5/62/L.14

Readex
Fiche

United Nations A/C.5/62/L.14

General Assembly

Distr.: Limited
21 December 2007

Original: English

Sixty-second session
Fifth Committee
Agenda item 140
Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations

Draft resolution submitted by the Chairman following informal consultations

Transfer of buildings to the United Nations Logistics Base at Brindisi, Italy

The General Assembly,

Recalling its decision 58/557 of 23 December 2003, in which the General Assembly expressed its appreciation to the Government of Italy for offering five additional buildings to the United Nations Logistics Base at Brindisi, Italy, and approved their transfer,

Recalling financial regulation 3.11 of the Financial Regulations and Rules of the United Nations,[1]

Having considered the note by the Secretary-General on the transfer of buildings to the United Nations Logistics Base at Brindisi,[2] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[3]

1. *Notes with appreciation* the offer by the Government of Italy of six additional buildings and twelve open areas to the United Nations Logistics Base at Brindisi, Italy;

2. *Takes note* of the note by the Secretary-General on the transfer of buildings to the United Nations Logistics Base at Brindisi;[2]

3. *Endorses* the conclusions and recommendations contained in the related report of the Advisory Committee on Administrative and Budgetary Questions;[3]

4. *Approves* the transfer of six additional buildings and twelve open areas pledged by the Government of Italy to the United Nations Logistics Base at Brindisi.

---

[1] ST/SGB/2003/7.
[2] A/62/548.
[3] A/62/559.

07-65512 (E) 211207

A/C.5/62/L.15

Readex
Fiche

United Nations A/C.5/62/L.15

General Assembly

Distr.: Limited
24 December 2007

Original: English

Sixty-second session
Fifth Committee
Agenda item 161
Financing of the African Union-United Nations Hybrid Operation in Darfur

Draft resolution submitted by the Chairman following informal consultations

Financing of the African Union-United Nations Hybrid Operation in Darfur

The General Assembly,

Reaffirming its resolution 61/279 of 29 June 2007,

Having considered the report of the Secretary-General on the financing of the African Union-United Nations Hybrid Operation in Darfur,[1] the related report of the Advisory Committee on Administrative and Budgetary Questions[2] and the letter dated 2 October 2007 from the Secretary-General to the President of the General Assembly,[3] and recognizing that the costs of the Operation are expenses of the Organization to be borne by Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations,

Recalling Security Council resolution 1769 (2007) of 31 July 2007, by which the Council established the African Union-United Nations Hybrid Operation in Darfur for an initial period of twelve months as from 31 July 2007,

Reaffirming the general principles underlying the financing of United Nations peacekeeping operations, as stated in its resolutions 1874 (S-IV) of 27 June 1963, 3101 (XXVIII) of 11 December 1973 and 55/235 of 23 December 2000,

Mindful of the fact that it is essential to provide the Operation with the necessary financial resources to enable it to fulfil its responsibilities under the relevant resolution of the Security Council,

Noting the hybrid nature of the Operation, and in that regard stressing the importance of ensuring full coordination of efforts between the African Union and

[1] A/62/380.
[2] A/62/540.
[3] A/62/379.

07-65735 (E) 271207

the United Nations at the strategic level, unity of command at the operational level and clear delegation of authority and accountability lines,

1. *Requests* the Secretary-General to entrust the Head of Mission with the task of formulating future budget proposals in full accordance with the provisions of General Assembly resolutions 59/296 of 22 June 2005, 60/266 of 30 June 2006 and 61/276 of 29 June 2007, as well as other relevant resolutions;

2. *Expresses concern* at the financial situation with regard to peacekeeping activities, in particular as regards the reimbursements to troop contributors that bear additional burdens owing to overdue payments by Member States of their assessments;

3. *Also expresses concern* at the delay experienced by the Secretary-General in deploying and providing adequate resources to some recent peacekeeping missions, in particular those in Africa;

4. *Emphasizes* the importance of interaction and coordination with troop-contributing countries;

5. *Recalls* section I, paragraph 6, of its resolution 55/238 of 23 December 2000 and paragraph 11 of its resolution 56/241 of 24 December 2001, and requests the Secretary-General to ensure the proper representation of troop-contributing countries in the Department of Peacekeeping Operations and the Department of Field Support, taking into account their contribution to United Nations peacekeeping;

6. *Also recalls* that the Operation should have a predominantly African character and that the troops should, as far as possible, be sourced from African countries;

7. *Reaffirms*, in the context of all Security Council decisions on peacekeeping operations, the prerogatives of the General Assembly in issues related to administrative and budgetary matters;

8. *Emphasizes* that all future and existing peacekeeping missions shall be given equal and non-discriminatory treatment in respect of financial and administrative arrangements;

9. *Also emphasizes* that all peacekeeping missions shall be provided with adequate resources for the effective and efficient discharge of their respective mandates;

10. *Recalls* the unique nature and mandate of each operation, and stresses that the resource requirements should be commensurate with the mandates and complexities of each operation;

11. *Reiterates its request* to the Secretary-General to make the fullest possible use of facilities and equipment at the United Nations Logistics Base at Brindisi, Italy, in order to minimize the costs of procurement for the Operation;

12. *Endorses* the conclusions and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions,[2] subject to the provisions of the present resolution, and requests the Secretary-General to ensure their full implementation;

13. *Takes note* of paragraphs 37, 40, 46, 48, 66, 68, 70 and 74 of the report of the Advisory Committee on Administrative and Budgetary Questions;

14. *Decides* to establish thirteen posts for the conduct and discipline team and fourteen positions to be funded from general temporary assistance;

15. *Recalls* paragraph 35 of its resolution 61/279, and decides to approve thirteen posts (four P-5, eight P-4 and one General Service) for the integrated operational team in order to provide backstopping for the African Union-United Nations Hybrid Operation in Darfur, the United Nations Mission in the Sudan and the United Nations Mission in the Central African Republic and Chad, to be financed through the support account of peacekeeping operations, and requests the Secretary-General to report expenditures thereon for the financial period from 1 July 2007 to 30 June 2008 in the performance report for the period;

16. *Looks forward* to the finalizing of the exchange of letters between the United Nations and the African Union as set out in the report of the Secretary-General;[1]

17. *Notes with concern* that the budget for the African Union-United Nations Hybrid Operation in Darfur for the period from 1 July 2007 to 30 June 2008 was not submitted in a results-based budgeting format, and requests the Secretary-General to ensure that forthcoming budget for the Operation for the period from 1 July 2008 to 30 June 2009 is submitted in full compliance with relevant General Assembly resolutions on the preparation of the budgets for peacekeeping missions;

18. *Reaffirms* its resolution 55/231 of 23 December 2000, and requests the Secretary-General to prepare the budgets for peacekeeping operations in full compliance with that resolution;

19. *Reiterates* its request to the Secretary-General to integrate operational, logistical and financial aspects fully in the planning phase of peacekeeping operations by linking results-based budgeting to the mandate implementation plans of peacekeeping operations;

20. *Reaffirms* the importance of ensuring that the work undertaken during the planning phase preceding the deployment of missions is as effective and accurate as possible, and emphasizes the importance of drawing on lessons learned;

21. *Takes note* of the large scope and number of extraordinary measures contained in the letter of the Secretary-General addressed to the President of the General Assembly;[3]

22. *Notes with concern* the recurrent application of extraordinary measures in peacekeeping operations;

23. *Stresses* the need for effective management and mitigation of risks in all phases of United Nations peacekeeping missions;

24. *Underlines* the risks inherent in the use of extraordinary measures, and stresses the importance of adequate advance planning to avoid the application of such measures;

25. *Requests* the Secretary-General to ensure that the financial regulations and rules of the Organization are abided by and fully upheld in all phases of the Operation;

26. *Reaffirms* the need for the procurement system to be transparent, open, impartial and cost-effective, based on competitive bidding and fully reflecting the international character of the United Nations;

27. *Notes with concern* the decision of the Secretary-General to utilize a single-source contract without competitive bidding, and requests the Secretary-General to take immediate action to supply goods and services in compliance with the established procedures for procurement, based on international competitive bidding and the widest possible geographical base of procurement, so as to avoid a non-competitive extension of the present contract;

28. *Recalls* its resolution 54/14 of 29 October 1999 regarding the need to take steps to ensure that specifications are not deliberately tailored to predetermine the choice of supplier and that the principle of separation of responsibilities of the requisitioning and approving officers is maintained;

29. *Encourages* the use of procurement within the region for the requirements of missions, taking into account efficiency and cost-effectiveness;

30. *Requests* the Secretary-General to entrust the Office of Internal Oversight Services to undertake a comprehensive review of the use of the extraordinary measures for the Operation contained in the letter of the Secretary-General to the President of the General Assembly;

31. *Also requests* the Secretary-General to continue to ensure full respect of all legislative mandates, and notes with concern that the Secretary-General did not respond to its request contained in paragraphs 13 and 14 of its resolution 61/289 of 29 June 2007;

32. *Further requests* the Secretary-General to further explore, without prejudice to the distinct mandates, resources, roles and areas of operation of the United Nations Mission in the Sudan and the African Union-United Nations Hybrid Operation in Darfur, the scope for synergies and cooperation between the two missions, where possible, and to report thereon for its consideration in the context of the budgets of the missions for the period from 1 July 2008 to 30 June 2009;

33. *Requests* the Secretary-General to include in his 2008-2009 budget submission details of the mechanisms that exist at Headquarters and in the field for ensuring coordination and collaboration between all United Nations actors active in the relevant mission area;

34. *Also requests* the Secretary-General to ensure that future budgets for the Operation contain sufficient information, explanation and justification of the proposed resource requirements relating to its operational costs in order to allow Member States to take well-informed decisions;

35. *Further requests* the Secretary-General to review the structure of the Operation, the allocation of posts and their grade levels as personnel are deployed and on the basis of actual workloads and experience gained and to reflect that ongoing review in future budget submissions;

36. *Underlines* the need for the deployment of staff of the Operation to be phased in order to conform to its operational needs as it evolves, and to its support capacity, and stresses in this regard that during its start-up phase the principal focus of the Operation should be to ensure that core capacity is quickly put in place;

37. *Also, underlines* the need for the deployment of civilian staff to be phased in accord with the deployment of military and police personnel;

38. *Notes* that the Secretary-General proposes to create five hundred forty-eight volunteer positions, of which only four will be nationals of the Sudan, and requests the Secretary-General to explore ways of increasing the number of nationals of the Sudan to forty-eight;

39. *Requests* the Secretary-General to ensure the full implementation of the relevant provisions of its resolutions 59/296, 60/266 and 61/276;

40. *Also requests* the Secretary-General to take all necessary action to ensure that the Operation is administered with a maximum of efficiency and economy;

41. *Further requests* the Secretary-General, in order to reduce the cost of employing General Service staff, to continue efforts to recruit local staff for the Operation against General Service posts, commensurate with the requirements of the Operation;

Budget estimates for the period from 1 July 2007 to 30 June 2008

42. *Authorizes* the Secretary-General to establish a special account for the African Union-United Nations Hybrid Operation in Darfur for the purpose of accounting for the income received and expenditure incurred in respect of the Operation;

43. *Decides* to appropriate to the special account for the African Union-United Nations Hybrid Operation in Darfur the amount of 1,275,653,700 United States dollars for the period from 1 July 2007 to 30 June 2008 for the establishment of the Operation;

Financing of the appropriation

44. *Also decides* to apportion among Member States the amount of 1,275,653,700 dollars for the period from 1 July 2007 to 30 June 2008, in accordance with the levels updated in General Assembly resolution 61/243 of 22 December 2006, and taking into account the scale of assessments for 2007 and 2008, as set out in its resolution 61/237 of 22 December 2006;

45. *Further decides* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 44 above, their respective share in the Tax Equalization Fund of 11,380,200 dollars, representing the estimated staff assessment income approved for the Operation;

46. *Emphasizes* that no peacekeeping mission shall be financed by borrowing funds from other active peacekeeping missions;

47. *Encourages* the Secretary-General to continue to take additional measures to ensure the safety and security of all personnel under the auspices of the United Nations participating in the Operation, bearing in mind paragraphs 5 and 6 of Security Council resolution 1502 (2003) of 26 August 2003;

48. *Invites* voluntary contributions to the Operation in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as

appropriate, in accordance with the procedure and practices established by the General Assembly;

49. *Decides* to keep under review during its sixty-second session the item entitled "Financing of the African Union-United Nations Hybrid Operation in Darfur".